

### REMARKS

Claims 21-36 and 41-45 are pending in this application. Applicant has amended independent Claim 21 in order to more clearly distinguish the present invention, as defined by independent Claim 21, over the prior art. Applicant respectfully submits that the amendments to independent Claim 21 do not contain new matter. Applicant respectfully submits that the present invention, as defined by Claims 21-36 and 41-45, is patentable over the prior art.

Applicant has also deleted the Abstract Of The Disclosure and has substituted therefor the new Abstract Of The Disclosure which is attached hereto on a separate sheet. Applicant respectfully submits that the new Abstract Of The Disclosure does not contain new matter.

Based on the foregoing amendments and the following Remarks, the application is deemed to be in condition for allowance and action to that end is respectfully requested.

I. THE 35 U.S.C. §103 REJECTIONS:

The Examiner asserts that Claims 21-22, 24, 26-27, and 29-35 are rejected under 35 U.S.C. §103(a) as being unpatentable over Boyer, et al., U.S. Patent No. 6,208,973 (Boyer) in view of Provost, et al., U.S. Patent No. 6,341,265 (Provost). The Examiner also asserts that Claims 23 and 25 are rejected under 35 U.S.C. §103(a) as being unpatentable over Boyer in view of Provost and further in view of Rosenfeld, et al., U.S. Patent No. 6,804,656 (Rosenfeld). The Examiner also asserts that Claim 28 is rejected under 35 U.S.C. §103(a) as being unpatentable over Boyer in view of Provost and further in view of Sun, et al., U.S. Patent No. 6,273,856 (Sun). Lastly, the Examiner asserts that claims 41-45 are rejected as being unpatentable over Boyer in view of Provost and further in view of DiRienzo, et al., U.S. Patent No. 6,076,066 (DiRienzo).

As noted above, Applicant has amended independent Claim 21 in order to more clearly distinguish the present invention, as defined by independent Claim 21, over the prior art. Applicant respectfully submits that the amendments to independent Claim 21 do not contain new matter.

Applicant respectfully submits that the present invention, as defined by Claims 21-36 and 41-45, is patentable over the prior art.

IA. THE PRESENT INVENTION, AS DEFINED BY CLAIMS 21-36 AND 41-45,  
IS PATENTABLE OVER THE PRIOR ART:

Applicant respectfully submits that the present invention, as defined by Claims 21-36 and 41-45, is patentable over the prior art. Applicant respectfully submits that the present invention, as defined by independent Claim 21, is patentable over the prior art.

Applicant respectfully submits that the present invention, as defined by independent Claim 21, is patentable over Boyer, Provost, Rosenfeld, Sun, DiRienzo, and any combination of same. Applicant respectfully submits that Boyer, Provost, Rosenfeld, Sun, DiRienzo, and any combination of same, do not disclose or suggest the present invention, as defined by independent Claim 21. Applicant respectfully submits that Boyer, Provost, Rosenfeld, Sun, DiRienzo, and any combination of same, do not disclose or suggest an apparatus, comprising a receiver, wherein the receiver receives information regarding an individual, wherein the information regarding an individual is transmitted from a computer or a communication device associated with a healthcare provider and is automatically received by the receiver, wherein the information regarding an individual contains information regarding at least one of a diagnosis and a treatment plan, and a processing device, wherein the processing device processes the information regarding an individual and at

least one of stores the information regarding an individual in a database or a memory device and updates a healthcare record associated with the individual, and further wherein the processing device automatically generates information regarding an insurance claim, wherein the information regarding an insurance claim is suitable for being automatically submitted to a healthcare insurer or a healthcare payer, all of which features are specifically recited features of independent Claim 21.

Applicant submits that Boyer, Provost, Rosenfeld, Sun, DiRienzo, and any combination of same, do not disclose or suggest the recited processing device which processes the recited information regarding an individual and which at least one of stores the recited information regarding an individual in the recited database or the recited memory device and updates the recited healthcare record associated with the individual. Applicant further submits that Boyer, Provost, Rosenfeld, Sun, DiRienzo, and any combination of same, do not disclose or suggest the recited processing device which automatically generates the recited information regarding an insurance claim, wherein the recited information regarding an insurance claim is suitable for being automatically submitted to a healthcare insurer or a healthcare payer.

Applicant further submits that Boyer, Provost, Rosenfeld, Sun, DiRienzo, and any combination of same, do not disclose or suggest a transmitter, wherein the transmitter automatically transmits the information regarding an insurance claim to a computer or a communication device associated with the healthcare insurer or the healthcare payer so as to effectuate a submission of the insurance claim to the healthcare insurer or the healthcare payer, wherein the processing device stores information regarding the submission of the insurance claim in the healthcare record associated with the individual, all of which features are still other specifically recited features of independent Claim 21.

Applicant further submits that Boyer, Provost, Rosenfeld, Sun, DiRienzo, and any combination of same, do not disclose or suggest the recited transmitter which automatically transmits the recited information regarding an insurance claim to the recited computer or the recited communication device associated with the healthcare insurer or the healthcare payer so as to effectuate a submission of the insurance claim to the healthcare insurer or the healthcare payer. Applicant further submits that Boyer, Provost, Rosenfeld, Sun, DiRienzo, and any combination of same, do not disclose or suggest the recited apparatus wherein the recited processing device stores information regarding the recited submission of the recited

insurance claim in the recited healthcare record associated with the individual.

In view of the foregoing, Applicant respectfully submits that Boyer, Provost, Rosenfeld, Sun, DiRienzo, and any combination of same, do not disclose or suggest many of the specifically recited features of independent Claim 21. Applicant further respectfully submits that Boyer, Provost, Rosenfeld, Sun, DiRienzo, and any combination of same, do not disclose or suggest all of the specifically recited features of independent Claim 21.

In view of the foregoing, Applicant respectfully submits that the present invention, as defined by independent Claim 21, is patentable over Boyer, Provost, Rosenfeld, Sun, DiRienzo, and any combination of same.

In view of the above, Applicant respectfully submits that the present invention, as defined by independent Claim 21, is patentable over the prior art. Applicant further respectfully submits that Claims 22-36 and 41-45, which claims depend either directly or indirectly from independent Claim 21, so as to include all of the limitations of independent Claim 21, are also patentable as said Claims 22-36 and 41-45 depend from allowable subject matter. In particular, Applicant respectfully submits that Boyer, Provost, Rosenfeld, Sun, DiRienzo, and any

combination of same, do not disclose or suggest all of the specifically recited features of independent Claim 21, and, therefore, Boyer, Provost, Rosenfeld, Sun, DiRienzo, and any combination of same, do not disclose or suggest all of the features of each of dependent Claims 22-36 and 41-45.

Allowance of pending Claims 21-36 and 41-45 is, therefore, respectfully requested.

## II. CONCLUSION:

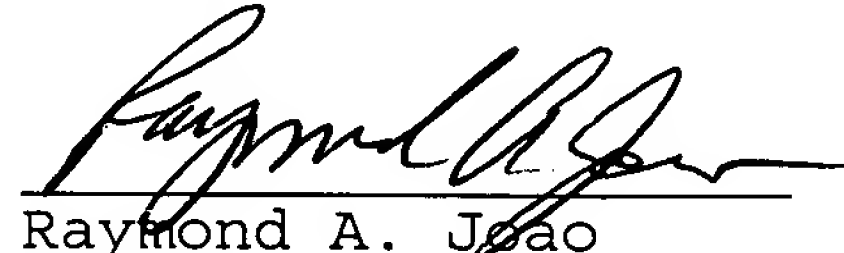
In view of the foregoing, the application is deemed to be in condition for allowance and action to that end is respectfully requested. Allowance of pending Claims 21-36 and 41-45 is respectfully requested.

A Petition For Extension of Time under 37 C.F.R. 1.136(a) for a One-Month Extension of Time is submitted herewith. A Credit Card Payment Form for \$60.00 for the fee for the Petition for a One-Month Extension of Time, is submitted herewith. A Fee Transmittal Sheet (in duplicate) for the fee for the Petition for a One-Month Extension of Time is also submitted



herewith. Applicant respectfully requests a One-Month Extension of Time to respond to the Office Action, mailed September 20, 2006.

Respectfully Submitted,



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Encl.: - Abstract of the Disclosure

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